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Attorneys for Defendant Darren Brinkley

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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CRIMINAL PRODUCTIONS, INC.,

Plaintiff,

vs.

DOES 1–32,

Defendants.

**DOE DEFENDANT 15 AKA DARREN  
BRINKLEY’S CLARIFICATION TO  
PLAINTIFF’S RESPONSE TO ORDER  
TO SHOW CAUSE**

Civil No. 2:17-cv-00550

Judge David Nuffer

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Doe Defendant 15 aka Darren Brinkley (“Brinkley”), through the undersigned counsel, seeks to clarify certain omissions made in Plaintiff’s Response to Order to Show Cause [ECF No. 83], as follows:

On December 20, 2018, this Honorable Court entered an Order to Show Cause [ECF No. 82] requiring Plaintiff, in relevant part, to “provide the current state of each of the Does named as

Defendants in this case . . . .” The Order specifically required Plaintiff to advise the Court as to the status of this case as to each Defendant, including pending motions. *Id.*

On January 17, 2019, Plaintiff filed a Response to Order to Show Cause that fails to provide the status of all matters relating to Defendant Brinkley. Specifically, the response does not indicate that Brinkley filed an answer and counterclaim [ECF No. 32]; that Plaintiff sought dismissal of its own claim [ECF No. 44] and those of Brinkley [ECF No. 45]; that the Court granted those motions [ECF No. 65]; and that Brinkley filed a Motion for Attorney Fees [ECF No. 65].

As a prevailing party under section 505 of the Copyright Act, Brinkley is entitled to an award of reasonable costs and fees, and respectfully requests that this Court review and rule on his pending Motion in due course.

DATED this 21<sup>st</sup> day of January 2019.

HOOLE & KING, L.C.

/s/ Gregory N. Hoole

Gregory N. Hoole

Attorneys for Defendant Darren Brinkley

LISA L. CLAY, ATTORNEY AT LAW

/s/ Lisa L. Clay

(signed with permission)

Lisa L. Clay

Attorneys for Defendant Darren Brinkley

**CERTIFICATE OF SERVICE**

I hereby certify that on the 21<sup>st</sup> day of January 2019, a true and correct copy of the foregoing document was filed electronically with the Court using the CM/ECF system, which sent notice of the same via email to all CM/ECF participants who have appeared in this case.

/s/ Gregory N. Hoole